ZAKAAT

Introduction.

All Praise is due to Allaah, the Creator of all the worlds. We seek refuge in Allaah from the evil within ourselves and from our sinful actions. Whomsoever Allaah guides, none can misguide. May Allaah bless us with His guidance.

In the current rat race for the accumulation of material possessions and wealth, the giving of alms is praiseworthy, advisable, and, in some cases even obligatory. In Islaam, it is obligatory to part with a certain amount of wealth in order to :-

a) purify one's wealth from the potential evil which it carries, such as greed, selfishness and pride; And,

b) to assist those who are financially less fortunate.

This amount is called Zakaat. Since many Muslims are not conversant with the laws of Zakaat, it is hoped that this booklet will educate them in this regard, so as to bring bliss to themselves and to those who are in need. Certainly, any action which is loved by Allaah MUST be for the benefit of mankind. It is hoped that when we realise what a small proportion of our wealth is required in the fulfilment of this pillar of Islaam, we will be humbled enough into paying Zakaat regularly, and also to compensate for any arrear Zakaat which we have neglected up to now.

May Allaah reward us with that knowledge which stimulates the performance of correct actions.

A.H.Elias (Mufti) Shawwaal 1416 / February 1996.

WHAT IS ZAKAAT ?

Zakaat is that amount which is made obligatory by Allaah, to be paid to a particular person, or persons, possessing certain special characteristics, as explained later. It is not payable to any other individual, or for the welfare of any institution which is not a person.
The rate of Zakaat is 2.5% - which is the same as 1/40 - or two and a half cents for every rand.

WHO SHOULD PAY ZAKAAT ?

Zakaat is obligatory on a free Muslim, who is firstly, responsible enough to fulfil religious obligations. He must also possesses wealth, equivalent to a certain minimum which is called Nisaab. This wealth, whether in the form of money, gold, silver, utensils of gold or silver, or articles of merchandise (for sale),of

whatever description, is liable for Zakaat, if the value amounts to the Nisaab.

WHAT IS THE MINIMUM (NISAAB) ?

1) The minimum one needs in order to be the owner of Nisaab is:- a) 87.48 grams of gold or,

b) 612.36 grams of silver, or it's equivalent in :-

c) cash

d) merchandise (for sale) or

e) livestock (see relevant tables for calculating nisaab) or,

f) other income such as rent.

2) The minimum must be free from debt and from the basic necessities of life, such as shelter, clothing, household furniture, cattle for personal use, armour and weapons for personal use, books (of scholars), and tools of a craftsman.

3) The minimum must be in the possession of the owner for at least one uninterrupted year. If at any time during the year the individual possesses less than this, the year's possession is interrupted, and consequently the obligation of Zakaat falls away. As for the produce of the original minimum obtained within the year, it will be added to the same type of wealth, and Zakaat will be levied on it, on completion of one uninterrupted year for the original minimum. The rule remains the same whether the produce is obtained by trade, inheritance, or by any other means.

THE RATE OF ZAKAAT.

Zakaat is calculated on the following amounts :-

1) GOLD :- 87.48 grams (which is the same as 20 mithqals, 7,5 Tolas, 2,8125 Troy ounces. or 1350 grains).

2) SILVER:- 612.36 grams (which is the same as 200 dirhams, 52.5 Tolas, 19,6875 Troy ounces or 9450 grains)

3) The Zakaat due upon two hundred dirhams is five dirhams, and on twenty mithqals of gold, one half mithqal. The rate on these forms of wealth is therefore one fortieth of one's total wealth.

HOW TO PAY ZAKAAT ?

1) **Intention.** The person paying Zakaat should intend in his mind that he is paying Zakaat. The intention needs to be made when paying to the beneficiary, or when the payer sets apart the proportion of Zakaat from his total wealth, for payment at a later convenient time. For example, when the payer gives Zakaat without any intention, but later makes the intention (while the Zakaat paid is still in the possession of the beneficiary), then it is valid.

2) **The receiver.** It is NOT necessary that the receiver should know that the payment made to him is of Zakaat. Thus, it is wholly correct if one pays the receiver of Zakaat a sum, saying that it is a gift or a loan, after having intended by it the payment of Zakaat.

3) **Without intention.** If a person gives away his whole wealth in charity, without the intention of Zakaat, the obligation of Zakaat for him is waived.
4)If a person exempts a poor man, or any other beneficiary of Zakaat, from the repayment of the debt, intending that the debt is the payment of Zakaat obligatory upon himself, this is not considered as payment of Zakaat, because delivery is not apparent in this case.
5) It is correct to pay the Zakaat on gold and silver (naqdayn) by giving - to the beneficiaries - moveable properties, measurable things and weighable goods, equivalent to the value of gold or silver. Should the payment be made in kind, i.e. by giving part of the gold or silver itself, then the weight should be taken into account and NOT the price. In the case of money, the owner can, instead of the actual money due, pay the value in kind.

ZAKAAT AND LOAN.

Zakaat on loans may be divided into three kinds: Strong, moderate and weak.
1) **THE STRONG LOAN** is when the debtor acknowledges the receiving or borrowing of money and articles of merchandise although he now possesses nothing. If the borrower disputes the claim of the lender but there is sufficient proof against him, then this still remains a strong loan. In these cases, Zakaat is obligatory upon the lender for all the years passed. The actual payment will, however, be made when he recovers from the debtor, a minimum of twenty percent for liability of Zakaat.

2) **THE MODERATE LOAN** is the receiving of that which is not for sale, i.e., the value of clothing for personal use and living quarters. If these things are sold, and their price is not paid by the buyer, then until the lender recovers from the buyer the minimum liable to ZAKAAT - i.e. two hundred dirhams - then only will Zakaat become binding. The measure of one uninterrupted year is to be considered from the time when the loan was given to the buyer.

3) **THE WEAK LOAN** is the changing of that which is not wealth - e.g. dowry, bequest, exchange of the Khul'a for divorce, compensation for deliberate murder, indemnity, and cost of labour (to purchase one's freedom).For this type of loan, Zakaat is not necessary until the lender receives the minimum liable for Zakaat and until one uninterrupted year passes after receiving it. This is the view of Imaam Abu Hanifah.
Imaam Abu Yusuf and Imam Muhammad maintain that in all three cases of loan mentioned above, it is necessary to pay Zakaat on whatever amount,- small or great - that is recovered.

UNCERTAIN WEALTH

On obtaining uncertain wealth, it is not necessary to pay Zakaat for the years during which it remained uncertain. Examples of such wealth are :-
1) usurped property regarding which there is no proof.
2) wealth sunk in the sea.
3) wealth tyrannically confiscated by the government.
4) a loan given to someone who denies this, and against whom there is no proof.

On regaining this form of wealth, the owner is exempted from Zakaat on it for the years during which it was uncertain.

MOVEABLE PROPERTY

1) Moveable articles, of whatever description, are subject to Zakaat if they are kept with a view to resale and if the value of such movables amount to the minimum (nisaab) as described earlier. The rate of Zakaat in the case of such movables is five dirhams (silver coins) for every two hundred dirhams worth of goods.

2) In the case of movables, Zakaat is payable when one possesses the minimum (nisaab) - at BOTH ends of the year, even though it is less than this at any time within that period. Thus, if a person owns moveable property for sale which is NOT equivalent to the minimum liable for Zakaat, and he has no other form of wealth which could be added to it to reach the minimum liable for Zakaat, but at the end of the year, the value of his moveable property raised to reach the minimum required for Zakaat, then he is NOT liable to Zakaat for this year, because the minimum did not exist at BOTH ends of the year.

3) If the movables are estimated at a value of one hundred dirhams, and one also possesses one hundred dirhams in cash, gold or silver - then the value of the movables must be added to the one hundred dirhams so that the two, together, will now reach the minimum for Zakaat, and Zakaat will become due.

GOLD AND SILVER

In the same manner described above, if gold is added to silver and their combined value (not their quantity), reaches the minimum for Zakaat, then Zakaat will have to be paid. For example, if a man possesses one hundred dirhams in silver, and five Mithqals of gold (the value of which would amount to two hundred dirhams), he would be liable to Zakaat. Similarly, if the value of gold and silver and rands and dollars, after being combined, amounts to, or is more than the minimum amount for Zakaat, than Zakaat becomes due.

If gold or silver contain some alloy - metal not liable to Zakaat - but MOSTLY gold and silver, they are to be accounted as pure gold or silver and the laws of gold and silver will apply to them.

THAT UPON WHICH ZAKAAT IS NOT DUE.

1) No Zakaat is levied on jewels such as diamonds and pearls except if one possesses them for sale. The same is true for all movables.
2) There is no Zakaat on interest earned from savings accounts. This entire amount must be given away to the poor and needy (preferably Muslims).

PAYING ZAKAAT AFTER TIME.

If a person possesses measurable things or weighable goods equivalent to the minimum liable to Zakaat (nisaab), for one year, but has not paid the Zakaat on these, and their value increased or decreased, then two possibilities arise :-
1) he pays the Zakaat in kind, which is calculated as one fortieth of his wealth.
2) he pays Zakaat based upon value, which is calculated as the value on the day of the obligation to pay the Zakaat, i.e., the last day of the year during which one possessed the amount on which Zakaat was due. For example, if a person came into possession of the nisaab amount of wealth on a certain day during the year, he

should calculate the end of the year starting from this date.
This is the view of Imam Abu Hanifa.
Imam Abu Yusuf and Imam Muhammad hold the opinion that account should be taken of the value on the date of the actual payment of the Zakaat to the beneficiaries.

WEALTH WHICH IS DESTROYED AFTER ZAKAAT HAD BECOME LIABLE UPON THEM.

1) No Zakaat is necessary for a man who did not pay Zakaat when its payment was due, and subsequently lost his wealth on condition that he does not destroy the wealth himself. If, after being possessed by an individual for an uninterrupted year, all one=s wealth is destroyed of itself, the Zakaat for that year falls away.
2) If part of this wealth is destroyed, the Zakaat drops proportionally. The Zakaat for the destroyed part of the wealth is forgiven by Allah. 3) Should the destroyed part be less than the minimum liable to Zakaat, then the payment of Zakaat remains unaltered.

PERSONS TO WHOM ZAKAAT CAN BE PAID

Zakaat can legally be paid to the under mentioned categories of Muslims which are specified in a single verse of the Qur'aan. There is no other beneficiary for Zakaat.

1. **THE POOR.** A poor person is one who possesses wealth, the whole of which amounts to LESS than the minimum liable to Zakaat (nisaab) or its value, from whatever type of wealth it may be. Such a person is legally considered poor even though he is in sound health and is capable of earning wealth.
2. **THE DESTITUTE** is one who has no wealth whatsoever.
3. **THE SLAVE** is one who has made a contract with his master that he will ransom himself with a certain amount of wealth.
4. **A DEBTOR** is one whose wealth, after his debt is deducted from it, is less than the minimum liable for Zakaat.
5. Those who are **striving in the cause of Allah.** They are:
    a. the WARRIORS who, through poverty, are incapacitated and prevented from taking part in Holy war, and,
    b. the PILGRIMS to Makkah, who, because of poverty, are incapable of returning home.
6. **THE WAYFARERS** are those who have wealth at home but not with them on the journey. They may be paid as much of Zakaat as is needed to support them in their travel.
7. Those employed in connection with the **collection and distribution of Zakaat** even if they are rich. They can be paid from Zakaat in proportion to their labour.

Zakaat can be paid to the following if they do not possess the Nisaab amount.

One's brother, sister, nephew, niece, uncle, aunt -both paternal and maternal - and one's parents - in - law.

The payer of Zakaat is allowed to give his Zakaat to all the categories of beneficiaries above. He is also allowed to limit his payment to any one of them, despite the existence of others in his locality.

THOSE WHO CANNOT BE GIVEN ZAKAAT.

[1] an infidel
[2] a rich man, i.e. one who possesses the minimum wealth liable to Zakaat, or its value, from whatever kind of wealth it may be - which is in excess of his basic needs.
[3] a rich infant.
[4] a person from the family of Hashim and their freed slaves.
[5] those from whom the payer of Zakaat is descended, i.e. his parents, grand-parents, and so on .
[6] those who have descended from him, i.e. his sons and daughters, grandsons, and granddaughters, and so on.
[7] one=s wife or husband.
[8] for the purchase of a shroud for the dead, and
[9] for the payment of the payer's own debt.

HOW MUCH ZAKAAT SHOULD BE GIVEN AT A TIME.

It is disliked to pay so much Zakaat to a single poor man as would make him rich - such that he possesses the minimum liable to Zakaat (nisaab) - after this repays his debt and after he gives each member of his family less than the minimum liable to Zakaat. Should the payment of Zakaat not elevate him, financially, to such an extent, then it is not disliked. It is praiseworthy to pay as much Zakaat to a single poor man as would prevent him from the need for begging.

GIVING ZAKAAT TO THOSE IN ANOTHER CITY OR AREA.

It is disliked to transfer wealth of Zakaat to a city other than one's own. This is, however, permissible if it is made for those who are :-
1) relatives of the payer,
2) more needy than the inhabitants of his own city.
3) more pious, OR,
4) more beneficent to Muslims by imparting useful knowledge.

WHO SHOULD PREFERENCE BE GIVEN TO WHEN DISTRIBUTING ZAKAAT.

[1] first to such a deserving one who is nearest to the payer among all his blood-kindred with whom marriage is not permissible in Islaam.
[2] then to his neighbour.
[3] then to the people of his locality.
[4] then to the people of his own city.

Sheykh Abu Hafs al-Kabir has said, "*The alms giving of a man is not received by Allah until he starts it with his needy relatives and meets their needs"*.

SADAQAH ON THE DAY OF ID-AL-FITR

SADAQATUL - FITR.

WHO SHOULD PAY SADAQATUL - FITR?

At dawn on the day of Id - ul - fitr, the Auspicious Day at the expiry of the lunar month of Ramadaan, Sadaqah for that day, Sadaqatul al-fitr becomes obligatory upon every free Muslim who possesses the minimum wealth liable to the yearly Zakaat, or its value. Unlike Zakaat, it **does not have to be possessed for one uninterrupted year and nor does** it have to be for trade. It only has to be free from debt and from the basic necessities of life for oneself and for the members of one's family. Basic necessities mean those things which one needs for sufficiency only : These are : shelter, furniture, clothes, means of transport, weapons for protection, and tools for work.

FOR WHOM SHOULD ONE PAY SADAQAH ?

Such a Muslim as described above is required to pay the Sadaqah on the day of Id - ul - fitr:
[1] for himself ;
[2] for his small poor children. If these small children are rich, and possess independent property, this Sadaqah can be paid out of their wealth.

FOR WHOM DOES ONE NOT NEED TO PAY SADAQAH.

[1] A grandfather is not under any obligation to pay for his small poor grand-children. Another view, however, is that the grandfather takes the place of the father when the latter is absent or poor.
[2] The Sadaqah of the day of Id-ul-Fitr need not be paid by a Muslim for his mature offspring although they form part of his family, nor for his wife. If however, he pays this Sadaqah on behalf of his wife or adult offspring, without their express permission, their consent is understood by custom and it is lawful.

HOW SHOULD ONE PAY SADAQAH ?

This Sadaqah, payable by one individual, should be paid to one poor man. Jurists have disagreed on whether or not it is permissible for a person to divide his Sadaqah among several poor men. It is, however, correct to pay the Sadaqah of a number of individuals to a single poor man.

WHAT IS TO BE GIVEN AS SADAQAH ?

1) Sadaqatul-Fitr amounts to HALF a saa of wheat, or ONE saa, i.e. 270 tolas of dried date or barley. Note 7.5 tolas =87.48 grams = 2,8125 troy ounces).
2) It is permissible to pay the value of these things in cash. It is better to give cash when the above items are easily available. When these items , such as barley, wheat or dates are scarce, then it is better to give these instead of cash.

WHEN TO PAY SADAQAH ?

The time when this Sadaqah becomes obligatory upon a Muslim is at dawn, on the day of Id - ul - fitr. The arrival of that appointed period is the condition for the obligation of this Sadaqah. Therefore, one who died or became poor on the eve of this period, is not liable for this Sadaqah. It is also not required from one who became a Muslim, or became rich, or was born AFTER this period..

It is praiseworthy to pay this Sadaqah before one proceeds for the performance of the prayer of Id - ul - fitr. Payment before or after this period is also correct. If payment was not made before this period, it will have to be made after, because the obligation continues until its is discharged. It is, however, disliked to do so later.

ANIMALS ON WHICH ZAKAAT IS FARDH

1. It is compulsory to give Zakaat on camels, cattle, water buffaloes, goats and sheep, i.e. any Halaal animal which can be slaughtered for Qurbaani in terms of Shariat when they:
   a. graze on the open field for the greater part of the year and are not stall fed;
   b. are kept for milk, breeding or fattening.

   Such animals are termed `Saa'imah'.
2. Zakaat on Saa'imah animals is calculated on number and not on value. Therefore, stud or thoroughbred animals and crossbred animals are treated alike for Zakaat purposes.

3. Where animals are kept for trade, Zakaat will be calculated and given as is done in commercial establishments ,i.e. on the monetary value of each animal. The Nisaab is the same as that used for trading.

4. If one has a mixed flock of goats and sheep ,and the number of each type of animal, individually, makes Zakaat applicable then the Zakaat for each respective group will be given from its own kind.

5. When the number of each type of animal, individually, does not make Zakaat binding, but the total of both kinds does amount to the Nisaab then Zakaat will be given from the type of animal which is greater in number.

6. If both kinds are equal in number, one has the option of choosing the Zakaat animal from whichever kind one desires. It must be noted that the Zakaat animal must be of the best.

ANIMALS ON WHICH ZAKAAT IS NOT FARDH.

1. Animals which are stall fed for six months of the year and then left to graze on the field for the remainder of the year are not `Saa'imah' and thus no Zakaat will be liable on their owner.
2. There is no Zakaat payable on animals which are reared for riding, or for transport or for one's own use or consumption.
3. There is no Zakaat on wild game.
4. There is no Zakaat on horses, donkeys and mules if they are not for sale.
5. There is no Zakaat on a herd which consists of calves only, till they reach the age of breeding. If such a herd has one animal which could be used for breeding, then Zakaat will have to be given on all of them. In this case that particular full grown animal will have to be given as Zakaat. If this animal, which is capable of breeding, dies, then Zakaat will still be necessary on the rest of the herd.
6. Zakaat is not applicable on sheep which are less than twelve months old.

THE TIME AND NISAAB OF ZAKAAT FOR LIVESTOCK.

1. The owner must have possession of the animals for one lunar year before Zakaat becomes Fardh.
2. The Nisaab for `Saa'imah' animals is governed by the number of animals in one=s ownership and not by the monetary value of each animal. Refer to tables below for details.

TABLE OF ZAKAAT FOR SHEEP AND GOATS

The Nisaab minimum number of animals for Zakaat to apply is forty animals which are more than twelve months old. There is no Zakaat if the number is less than forty.

	ZAKAAT

NUMBER	1 year old
40-120	1 animal
121-200	2 animals
201-399	3 animals
400	4 animals

Thereafter for each additional hundred, one sheep which is one year old must be given as Zakaat.

TABLE OF ZAKAAT FOR CATTLE AND WATER BUFFALOES

The Nisaab is thirty animals. If one possesses less than thirty animals of this type, then Zakaat is not liable.

Number	ZAKAAT	
	1 year old	2 year old
30-39	1 animal	
40-59		1 animal
60-69	2 animals	

Thereafter, for every thirty animals, one, one- year-old animal should be given, and for every forty, one, two - year- old animal should be given as Zakaat. Example:

Number	ZAKAAT	
	1 year old	2 year old
70	1 animal	1 animal
80		2 animals
90	3 animals	

100	2 animals plus 1 animal
110	1 animal plus 2 animals
120	4 animals plus 3 animals

TABLE OF ZAKAAT FOR CAMELS

The Nisaab for camels is the possession of five animals. There is no Zakaat if the number of animals are less than five.

Number	ZAKAAT			
	1 year old	2 years old	3 years old	4 years old
5-9	1 goat			
10-14	2 goats			
15-19	3 goats			
20-24	4 goats			
25-35	1 camel			
36-45		1 camel		
46-60			1 camel	
61-75				1 camel
76-90		2 camels		
91-120			2 camels	
125-129	1 goat plus		2 camels	

130-134	2 goats plus		2 camels	
135-139	3 goats plus		2 camels	
140-144	4 goats plus		2 camels	
145-149	1 camel plus		2 camels	
150-154			3 camels	
155-159	1 goat plus		3 camels	
160-164	2 goats plus		3 camels	
165-169	3 goats plus		3 camels	
170-174	4 goats plus		3 camels	
175-185	1 camel plus		3 camels	
186-195		1 camel	3 camels	
196-200			4 camels	

Thereafter, for every additional fifty animals, the ratio will remain as shown in the scale from 155-200.All those between two prescribed numbers are exempted from Zakaat.

Miscellaneous Masaa'il

1. Zakaat will NOT be fulfilled by purchasing books for an institution, or land for public utility and made Wak'f.
2. Although a person dutifully gives his own Zakaat, he will be sinful if he does not remind his wife and adult children, or the members of his family who possess the Nisaab through savings, or whatever, to give their Zakaat.
3. It is Afdhal (best) to give one's Zakaat when it is due, rather than to wait for Ramadaan.
4. The Zakaat cannot be used for the Kaf'n of a deceased person who has no heirs, because at that time he/she cannot become the owner.
5. A dead person's debt cannot be paid from Zakaat.
6. Zakaat will not be collected by force, nor will it be collected from the property of the deceased, UNLESS the heirs have been specifically instructed to do so in the will, in which case, it will be collected from one-third of this property.

7. It is permissible to pay Zakaat for a certain number of years in advance - if the payer possesses the minimum wealth liable to Zakaat.

8. Zakaat may not be used for the erection of a Masjid, because Zakaat has to be made over to the person, or persons, entitled to it, and such delivery does not happen in this case.

9. If a person gives Zakaat to a person who was found to be deserving of it AFTER DUE DELIBERATION, but later found that the recipient was not really a deserving person, then, too, Zakaat is considered to have been discharged correctly.

10 Adoption of a divorce (hila) in order to escape the payment of Zakaat is permissible according to the jurist Abu Yusuf, but this is disliked by the jurist Muhammad.

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NOTE :

Laws in "Zakaat Made Easy" have been taken basely from the famous book,"Nurul Ezza" by Sheik Abdul Iklaas Hassanul Wafai Shrumbulay Hanafi (RA) and the tables from a publication entitled "Zakaat" by The Watervale Institute.

SIMPLE TABLE FOR THE CALCULATION OF ZAKAAT.

1. Cash on hand...R..................

2. Cash at bank, savings or fixed deposits............. R..................

3. Stock in trade.. R..................

4. Gold, silver or jewellery............................ R..................

5. Debtors.. R.................

6. Income of properties............................... R..................

7. Shares (ruling price).............................. R.................

8. Goods in transit (if already paid for)........... R.................

9. Claims (acknowledged).......................... R.................

10. Sundry outstanding................................ R.................

T O T A L.... R.................

Less creditors.. R.................

Total Zakaatable amount................................ R.................

Zakaat at 2.5 % on the above.......................... R.................